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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: RICHARD CLERI

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 07/02/2010, AGAINST MOS CLERI:
ALLEGATION(S):

1. DEPARTMENT RULES VIOLATION - OTHER DEPARTMENT RULES

ACTION TAKEN: COMMAND DISCIPLINE ISSUED

CASE STATUS: CLOSED ON 08/02/2011

Disclosure # 2:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

1. TERRY JONES V. CITY OF NEW YORK, ET AL, 15-CV-00573, FILED IN THE EASTERN DISTRICT OF NEW YORK

Disclosure # 3:

ON APRIL 2, 2014, IN AN ORAL DECISION GRANTING A FEDERAL DEFENDANT'S MOTION TO SUPPRESS A FIREARM SEIZED FROM HIM ON NOVEMBER 13, 2013, AS WELL AS TO SUPPRESS STATEMENTS MADE BY HIM FOLLOWING HIS ARREST, UNITED STATES DISTRICT JUDGE JOHN GLEESON FOCUSED ON THE HEARING TESTIMONY OF POLICE OFFICER ANDREW KAMNA, SHIELD NUMBER 24865, BUT ALSO FOUND TESTIMONY PROVIDED BY POLICE OFFICER RICHARD CLERI, SHIELD NUMBER 26765, WHICH CORROBORATED ONE ASPECT OF P.O. KAMNA'S TESTIMONY (NAMELY, THAT THE DEFENDANT HAD DRIVEN THROUGH A STOP SIGN), TO HAVE BEEN INCREDIBLE. JUDGE GLEESON DID NOT CREDIT THEIR TESTIMONY, BECAUSE IT WAS CONTRADICTED BY THAT OF SERGEANT MATTHEW CAHILL, WHOM THE JUDGE DID CREDIT. THE TRANSCRIPT OF JUDGE GLEESON'S APRIL 2, 2014 ORAL DECISION IN UNITED STATES V. RAYMOND JONES, NO. 13-CR-708 (JG) (E.D.N.Y.) IS ATTACHED HERETO, AND AT PAGES 11-12, THE JUDGE DISCUSSES PO CLERI'S TESTIMONY.

Disclosure # 4:

IN A PUBLISHED DECISION AND ORDER, PEOPLE V. AKIEL SIMON, 51 MISC. 3D 1212(A), 2016 NY SLIP OP 50612(U) (SUP. CT. KINGS CTY.), DATED APRIL 8, 2016, ACTING SUPREME COURT JUSTICE SHAWN DYA SIMPSON

GRANTED THE DEFENDANT'S MOTION SUPPRESS, FOLLOWING A COMBINED HUNTLEY/MAPP/DUNAWAY HEARING HELD FEBRUARY 2016. AT THAT HEARING, PO RICHARD CLERI TESTIFIED REGARDING THE STOP OF A LIVERY CAB; THE SEARCH OF THE DEFENDANT [ONE OF THE CAB'S PASSENGERS]; THE RECOVERY AT THE SCENE OF MARIJUANA FROM THE DEFENDANT; THE DEFENDANT'S INSISTENCE ON CLENCHING HIS LEGS AND BUTTOCKS; AND THE SUBSEQUENT RECOVERY OF A GUN FROM THE DEFENDANT'S PERSON AFTER HE HAD BEEN TRANSPORTED TO THE PRECINCT STATIONHOUSE. JUDGE SIMPSON DID NOT CREDIT PO CLERI'S TESTIMONY, FINDING, INTER ALIA, THAT HIS NARRATIVE WAS FAULTY AND NOT PLAUSIBLE, AND THAT POLICE OFFICER CARLOS ANTON, THE ONLY OTHER OFFICER WHO TESTIFIED AT THE HEARING, HAD PROVIDED INCONSISTENT TESTIMONY WITH REGARD TO THE INCIDENT AND A STATEMENT MADE BY THE DEFENDANT, AND HIS TESTIMONY FAILED TO BUTTRESS PO CLERI'S TESTIMONY.

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE UNAWARE OF ANY PENDING AND OR SUBSTANTIATED CCRB ALLEGATIONS AGAINST THIS OFFICER.

SEE ATTACHMENTS BELOW.

Eric Gonzalez
District Attorney
Kings County